



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO IVAN TORRES-  
QUINONEZ,

Defendant.

CASE NO. CR 11-01679-DUTY

ORDER OF DETENTION  
AFTER HEARING

(18 U.S.C. § 3142(i))

I.

A. ( ) On motion of the Government in a case allegedly involving:

1. ( ) a crime of violence;
2. ( ) an offense with a maximum sentence of life imprisonment or death;
3. ( ) a narcotics or controlled substance offense with a maximum sentence of ten or more years;
4. ( ) any felony - where the defendant has been convicted of two or more prior offenses described above;
5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

1 B. (X) On motion by the Government / ( ) on Court's own motion, in a case allegedly  
2 involving:

3 1. (X) a serious risk that the defendant will flee;

4 2. ( ) a serious risk that the defendant will:

5 a. ( ) obstruct or attempt to obstruct justice;

6 b. ( ) threaten, injure, or intimidate a prospective witness or juror or attempt to  
7 do so.

8 C. The Government ( ) is/ ( ) is not entitled to a rebuttable presumption that no  
9 condition or combination of conditions will reasonably assure the defendant's  
10 appearance as required and the safety of any person or the community.  
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12 II.

13 A. (X) The Court finds that no condition or combination of conditions will reasonably  
14 assure:

15 1. (X) the appearance of the defendant as required.

16 ( ) and/or

17 2. ( ) the safety of any person or the community.

18 B. ( ) The Court finds that the defendant has not rebutted by sufficient evidence to  
19 the contrary the presumption provided by statute.  
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21 III.

22 The Court has considered:

23 A. the nature and circumstances of the offense(s) charged;

24 B. the weight of evidence against the defendant;

25 C. the history and characteristics of the defendant; and

26 D. the nature and seriousness of the danger to any person or to the community.  
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IV.

The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report and recommendation.

V.

The Court bases the foregoing finding(s) on the following:

- A. (X) The history and characteristics of the defendant indicate a serious risk that he will flee, because defendant is a citizen of Mexico, who is alleged to be illegally present in the United States, and no bail resources have been proffered to mitigate the risk of flight.
- B. ( ) The defendant poses a risk to the safety of other persons or the community because

VI.

- A. ( ) The Court finds that a serious risk exists that the defendant will:
1. ( ) obstruct or attempt to obstruct justice.
  2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.

VII.

- A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
- C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity for private consultation with counsel.
- D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections

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facility in which the defendant is confined deliver the defendant to a United States  
Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 13, 2011

*Margaret A. Nagle*  
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MARGARET A. NAGLE  
UNITED STATES MAGISTRATE JUDGE